

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

HEATHER JO FANCHER,)	
)	Case No. 2:20-cv-198
<i>Plaintiff,</i>)	
)	Judge Travis R. McDonough
v.)	
)	Magistrate Judge Jill E. McCook
COMMISSIONER OF SOCIAL)	
SECURITY ADMINISTRATION,)	
)	
<i>Defendant.</i>)	

ORDER

On February 12, 2020, United States Magistrate Judge Jill E. McCook filed her report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). In it, Magistrate Judge McCook recommended that Plaintiff’s motion for judgment on the pleadings (Doc. 23) be granted in part and denied in part and Defendant’s motion for summary judgment (Doc. 25) be denied. (Doc. 29.) Magistrate Judge McCook also recommended that the Court remand the case so that the Administrative Law Judge (“ALJ”) can properly consider the opinion of Derek Hopko, Ph.D. (*Id.* at 25.)

Neither party filed objections to Magistrate Judge McCook’s report and recommendation.¹ Nevertheless, the Court has conducted a reviewed the report and recommendation, as well as the record, and it agrees with Magistrate Judge McCook’s well-reasoned conclusions.

¹ Magistrate Judge McCook specifically advised the parties that they had 14 days in which to object to the report and recommendation and that failure to do so would waive his right to appeal. (Doc. 29, at 25).

Accordingly,

1. The Court **ACCEPTS** and **ADOPTS** Magistrate Judge McCook's findings of fact, conclusions of law, and recommendations pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure (Doc. 24);
2. Plaintiff's motion for judgment on the pleadings (Doc. 23) **GRANTED IN PART** and **DENIED IN PART** as set forth in the report and recommendation (Doc. 29);
3. Defendant's motion for summary judgment (Doc. 25) is **DENIED**; and
4. This case is **REMANDED** in order that the ALJ may appropriately consider Dr. Hopko's opinion.

AN APPROPRIATE JUDGMENT WILL ENTER.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE